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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,914	11/04/2003	Tsuyoshi Yoshida	VX032569	4362
21369	7590 01/12/2006		EXAMINER	
POSZ LAW GROUP, PLC 12040 SOUTH LAKES DR.			MCCREARY	, LEONARD
SUITE 101	II DI III DO DIC.		ART UNIT	PAPER NUMBER
RESTON, VA 20191			3616	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/699,914	YOSHIDA ET AL.				
Office Action Summary	Examiner	Art Unit				
•	Leonard J. McCreary, Jr.	3616				
The MAILING DATE of this communication app						
Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after \$IX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nety filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 04 No	<u>ovember 2003</u> .					
·—	·					
•	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.				
Disposition of Claims						
4) Claim(s) 1-3 is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-3</u> is/are rejected. 7)□ Claim(s) is/are objected to.						
8) Claim(s) size objected to: 8) Claim(s) are subject to restriction and/o	r election requirement.					
o, are cas,corre recursive and are	4					
Application Papers						
9)⊠ The specification is objected to by the Examine						
10) The drawing(s) filed on <u>04 November 2003</u> is/a						
Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct						
11) The oath or declaration is objected to by the Ex						
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign a)⊠ All b)⊡ Some * c)⊡ None of:	priority under 35 U.S.C. § 119(a))-(d) or (f).				
1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No.						
3. Copies of the certified copies of the prior		ed in this National Stage				
application from the International Bureau * See the attached detailed Office action for a list		ed.				
dee the attached detailed office detion for a list						
Attachment(s)						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date.						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Cheeve the paper No(s)/Mail Date						

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: On page 12, line 8 applicant refers to "main flame" when text should read "main frame."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, "track-type" is indefinite. The examiner suggests reciting "tracked" instead. In claim 2, the phrase "a first arm portion and a second arm portion that are provided *in left and right pairs*" in lines 3-4 is not consistent with the description set forth in the applicant's specification, since neither the figures nor description of the invention discuss left and right pairs of arm portions. Corrections are required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 1,429,449 to Norelius. Norelius discloses a main frame and suspension for tractors comprising an equalizer bar of a tracked vehicle having:

- two ends supported by left and right track frames 26
- an equalizer bar main body 24 formed of a bar member having a spring function (claim 1.)

Allowable Subject Matter

Claims 2 and 3 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. 2,631,844 to Paton discloses a torsion bar with a spring function and free ends fixed in opposite directions. The main body and free ends are pivotally mounted.
- U.S. 3,037,789 to Allison discloses a torsion bar with a spring function and free ends fixed in opposite directions.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard J. McCreary, Jr. whose telephone number is 571-272-8766. The examiner can normally be reached on 0700-1700 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reconard of Melieary fr. Leonard J. McCreary, Jr.

Examiner Art Unit 3616

PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

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